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## Planning Commission Staff Report

**TO:** PLANNING COMMISSION

**FROM:** ASHLEE MACDONALD, AICP, SENIOR PLANNER *Am*  
(480) 503-6748, ASHLEE.MACDONALD@GILBERTAZ.GOV

**THROUGH:** CATHERINE LORBEER, AICP, PRINCIPAL PLANNER *ajl*  
(480) 503-6016, CATHERINE.LORBEER@GILBERTAZ.GOV

**MEETING DATE:** SEPTEMBER 17, 2019

**SUBJECT:** A. GP18-09 NEC WARNER AND RECKER ROADS: REQUEST FOR MAJOR GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE CLASSIFICATION OF APPROX. 124.8 ACRES LOCATED AT THE NORTHEAST CORNER OF RECKER AND WARNER ROADS FROM 28.4 ACRES OF BUSINESS PARK (BP), 87.5 ACRES OF LIGHT INDUSTRIAL (LI) AND 8.9 ACRES OF COMMUNITY COMMERCIAL (CC) TO 18.2 ACRES OF RESIDENTIAL > 8-14 DU/ACRE (R>8-14 DU/AC), 10.4 ACRES OF RESIDENTIAL > 5-8 DU/ACRE (R>5-8 DU/AC), 65.6 ACRES OF RESIDENTIAL > 3.5-5 DU/ACRE (R>3.5-5 DU/AC), AND 30.6 ACRES OF LIGHT INDUSTRIAL (LI) LAND USE CLASSIFICATIONS.

B. Z18-19 NEC WARNER AND RECKER ROADS: REQUEST TO AMEND ORDINANCE NOS. 2261, 2378, AND 2448 PERTAINING TO THE ROCKEFELLER GROUP NORTH GATEWAY PLANNED AREA DEVELOPMENT (PAD) OVERLAY ZONING DISTRICT, GENERALLY LOCATED AT THE NORTHEAST CORNER OF RECKER AND WARNER ROADS BY REMOVING FROM THE PAD APPROX. 124.8 ACRES CONSISTING OF 87.5 ACRES OF LIGHT INDUSTRIAL (LI), 28.4 ACRES OF BUSINESS PARK (BP), AND 8.9 ACRES OF COMMUNITY COMMERCIAL (CC) ZONING DISTRICTS; CREATING THE NEC WARNER AND RECKER ROADS PAD, APPROVING A NEW DEVELOPMENT

**PLAN FOR THE NEC WARNER AND RECKER ROADS PAD;  
AND CHANGING THE ZONING CLASSIFICATION FROM 87.5  
ACRES OF LI, 28.4 ACRES OF BP, AND 8.9 ACRES OF CC, ALL  
WITH A PAD TO 30.6 ACRES OF LIGHT INDUSTRIAL (LI), 18.2  
ACRES OF SINGLE FAMILY - ATTACHED (SF-A), 30.0 ACRES  
OF SINGLE FAMILY – DETACHED (SF-D), 19.5 ACRES OF  
SINGLE FAMILY – 6 (SF-6) AND 26.5 ACRES OF SINGLE  
FAMILY – 7 (SF-7) ZONING DISTRICT, ALL WITH THE NEW  
NEC WARNER AND RECKER ROADS PAD OVERLAY.**

**STRATEGIC INITIATIVE:** Exceptional Built Environment

Approval of this major General Plan amendment and rezoning request will allow the landowner to develop a master planned community.

**RECOMMENDED MOTION**

- A. No motion requested; the special meeting of the Planning Commission is to receive public input and comments for GP18-09, NEC Warner and Recker Roads Major General Plan amendment on 124.8 acres, located at the northeast corner of Recker and Warner Roads. The Major General Plan amendment is scheduled for the October 2, 2019 regular Planning Commission hearing for consideration of a recommendation to Town Council;
- B. No motion requested; the special meeting of the Planning Commission is to receive public input and comments for Z18-19, NEC Warner and Recker Roads rezone on 124.8 acres, located at the northeast corner of Recker and Warner Roads. The rezone is scheduled for the October 2, 2019 regular Planning Commission hearing for consideration of a recommendation to Town Council.

**APPLICANT**

Company: Withey Morris, PLC  
 Name: Adam Baugh  
 Address: 2525 E. Arizona Biltmore Cir A-212  
 Phoenix, AZ 85016  
 Phone: 602-230-0600  
 Email: adam@witheymorris.com

**OWNER**

Company: Recker and Warner LLC  
 Address: 17800 N Perimeter Dr. Ste 210  
 Scottsdale, AZ 85255  
 Phone: 480-860-2000  
 Email: egrant4@simaz.com

**BACKGROUND/DISCUSSION**

**History**

<b>Date</b>	<b>Description</b>
<i>Feb 3, 2003</i>	Town Council annexed 156.24 acres with case A06-17 (Resolution No. 1793)

<i>October 14, 2004</i>	Town Council approved Z06-68 (Ord. No 1860) rezoning approximately 78.7 acres from Maricopa County Rural - 43 to Community Commercial and Business Park and Z07-72 (Ord. No 1861) rezoning approximately 77 acres from Maricopa County Rural – 43 to SF-D and MF/L with a PAD
<i>November 17, 2009</i>	Town Council approved case GP09-04 (Resolution No. 2996) changing the land use designation on 156 acres from Residential > 5-8 DU/Acre, BP, CC, GFC to Residential > 14-25 DU/Acre, CC, BP and LI and Z09-10 (Ordinance No 2261) rezoning 156 acres from SF-D, MF/L, BP and CC to MF/M, BP, CC, and LI with a PAD
<i>June 28, 2012</i>	Town Council approved GP12-02 (Resolution No. 3124) changing the land use designation on approximately 1.04 acres from LI, BP, and R>14-25 DU/Acre to Residential >14-25 DU/Acre and LI and Z12-03 (Ordinance No. 2378) rezoning approximately 34.1 acres from MF/M, BP and LI with a PAD to MF/M, BP and LI with a PAD to reconfigure the site.
<i>July 19, 2012</i>	Design Review Board approved DR12-07 approving the site plan, landscaping, and elevations for North Gateway Apartments (Liv Northgate)
<i>September 17, 2013</i>	Town Council approved a GP13-09 (Resolution No. 3195) and Z13-20 (Ordinance No. 2448) rezoning a portion of the Rockefeller Group North Gateway PAD from BP, LI and CC to BP, LI and CC
<i>November 5, 2018</i>	Planning Commission recommended approval of GP18-09.
<i>December 6, 2018</i>	Town Council denied GP18-09.
<i>December 20, 2018</i>	Town Council passed a motion (6-1 vote) to reconsider Council's action of December 6, 2018. It was requested that staff accept an amended application for future Planning Commission and Town Council consideration.
<i>July 10, 2019</i>	Planning Commission reviewed GP18-09 and Z18-19 as a study session item.

## Overview

The subject site is 124.8 gross acres located at the northeast corner of Recker and Warner Roads. The applicant is requesting a Major General Plan amendment to change the land use classification of approx. 124.8 acres from 28.4 acres of Business Park (BP), 87.5 acres of Light Industrial (LI) and 8.9 acres of Community Commercial (CC) to 18.2 acres of Residential > 8-14 DU/Acre (R>8-14du/ac), 10.4 acres of Residential > 5-8 DU/Acre (R>5-8du/ac), 65.6 acres of Residential > 3.5-5 DU/Acre (R>3.5-5du/ac), and 30.6 acres of Light Industrial (LI) land use classifications in order to develop a residential master planned community. In conjunction with the General Plan amendment a rezoning application has also been submitted consisting of 30.4 acres of Light Industrial (LI), 18.4 acres of Single Family - Attached (SF-A), 30.0 acres of Single Family – Detached (SF-D), 19.5 acres of Single Family – 6 (SF-6) and 26.5 acres of Single Family – 7 (SF-7) zoning district, all with a Planned Area Development (PAD) overlay.

## Surrounding Land Use & Zoning Designations

	Existing Land Use Classification	Existing Zoning	Existing Use
North	Community Commercial, Residential > 14-25 DU/Acre and Residential > 2-3.5 DU/Acre	Multi Family/Medium (MF/M) and Single Family-Detached (SF-D) with a PAD	Liv Northgate Multi-family and Elliot Groves at Morrison Ranch single family residential
South	Community Commercial, Residential > 5-8 DU/Acre, Residential > 1-2 DU/Acre	Community Commercial (CC) and Single Family-Detached (SF-D) with a PAD and Maricopa County Airport District – 3 (AD-3)	Recker Road then Charter School, Residential and vacant land
East	Business Park (BP), Light Industrial (LI) and General Commercial (GC)	Business Park (BP), Light Industrial (LI) and General Commercial (GC) with a PAD	Vacant (Morrison Ranch Business Center)
West	Residential > 2-3.5 DU/Acre Residential > 3.5-5 DU/Acre	Single Family – 6 (SF-6) and Single Family – 10 (SF-10) with a PAD	Recker Road then Vacant (Lakeview Trails at Morrison Ranch)
Site	Business Park (BP), Light Industrial (LI) and Community Commercial (CC)	Business Park (BP), Light Industrial (LI) and Community Commercial (CC) with a PAD	Vacant

## General Plan

The amendment proposes to modify the land use classifications from non-residential land uses to primarily residential land uses on an area greater than 40 acres; as such the proposal qualifies as a major General Plan amendment. State law requires that major amendments to the General Plan be presented and considered by the Town Council at a single public hearing during the calendar year in which the proposed amendment is requested. Applicants must demonstrate the merits of the proposed change as an improvement to or consistent with the General Plan. Town Council previously took action on this item in December 2018 and subsequently reconsidered, so that an amended application for GP18-09 could be submitted.

The site is located within the Power Road Growth Area. Per the General Plan *“The Phoenix-Mesa Gateway Airport, directly to the east, is the catalyst for development within this area. With quick transportation access to the Santan Freeway and the Power Road Corridor, the focus of this Growth Area is industrial and business park employment supported by commercial shopping centers.”*

The site is currently made up of a combination of Business Park, Light Industrial and Commercial land use designations. The applicant is requesting an amendment to Residential > 8-14 DU/Acre,



Residential > 5-8 DU/Acre, Residential > 3.5-5 DU/Acre and Light Industrial (LI) to allow for the development of a residential master planned community.

Land Use	Existing Acres	Proposed Acres	Amount of change
Business Park	28.4	0	-28.4
Light Industrial	87.5	30.6	-56.9
Community Commercial	8.9	0	-8.9
Residential > 8-14 DU/Acre	0	18.2	+18.2
Residential > 5-8 DU/Acre	0	10.4	+10.4
Residential > 3.5-5 DU/Acre	0	65.6	+65.6
	124.8	124.8	

Since the applicant's original application that was previously reviewed by the Planning Commission and Town Council, adjustments have been made to retain 30.6 acres of Light Industrial along Warner Road. This retention of some employment land use better aligns with the goals and policies of the General Plan and the Power Road Growth Area. As such the applicant has indicated the project complies with the following General Plan policies (applicant comments in *italics*):

- Land Use Goal 1.0 – Policy 1.5: Designate and protect sites for employment uses in appropriate locations to increase the Town's employment base
  - *Extensive market research was conducted for market viability, the land plan extends the employment use further west along Warner Road, and approximately 700 feet deeper along the eastern edge. The industrial consultants indicated the marketing window frontage along Warner was more likely to develop and attract flex industrial users rather than along the length of the entire eastern edge where there is no visibility.*
- Economic Development Goal 1.0 – Policy 1.5: encourage the protection and expansion of the land (and/or densities) designated in the General Plan for employment uses.
  - *The 30 acres set aside have the greatest chance of developing employment uses given its arterial frontage, closer proximity to Power Road, and it's adjacency to the employment zoning to the east. The depth of the proposed employment area also represents an optimal employment scenario and building layout that accommodates the necessary drive aisles, widths, loading areas, truck cells, building size, and parking. The site, parking and buildings have also been designed to attract large office users.*
- Community Design Goal 8.0 – Policy 8.1: Encourage maximum use of landscaping to buffer employment uses from adjacent non-employment uses, identify prominent areas for the display of public art and provide adequate amenity areas for employees.
  - *Increased setbacks, landscape buffers, and roadways are strategically placed to ensure the adjacent zoning is not impacted by this proposal.*
- Land Use and Growth Areas – Policy 1.3: Encourage residential development that allows for a diversity of housing types for all groups and is accessible to a range of income levels.
  - *Development of the interior of the Property for residential uses is compatible with the surrounding residential uses while also providing for a diversity of housing types (traditional residential, townhomes, and auto-court homes).*

- Community Design – Policy 1.3: Encourage residential/non-residential land use transitions that minimize negative impacts of commercial and industrial uses on adjacent residential uses.
  - *This is achieved through landscape buffers and tracts, pedestrian trail systems, and roadway alignments.*

## Rezoning

The applicant is requesting the removal of approximately 124.8 acres from the Rockefeller Group North Gateway PAD and rezoning the subject 124.8 acres from 87.5 acres of Light Industrial (LI), 28.4 acres of Business Park (BP), and 8.9 acres of Community Commercial (CC) to 30.9 acres of Light Industrial (LI), 17.6 acres of Single Family - Attached (SF-A), 30.4 acres of Single Family – Detached (SF-D), 19.3 acres of Single Family – 6 (SF-6) and 26.5 acres of Single Family – 7 (SF-7) zoning district, all with the new NEC Warner and Recker Roads PAD in order to develop a residential master planned community.

As part of the Planned Area Development overlay request, the applicant is proposing several deviations to the base zoning district shown in the table below:

## Project Data Table

Site Development Regulations	Required per LDC, Single Family – Attached	Proposed
Minimum Lot Area	2,000 sf	1,056 sf
Lot Width/Depth	None	22'/48'
Maximum Height (ft/stories)	36'/3	30'/2
Minimum Building Setbacks (ft.) Front Side Rear	10' 0' 10'	10' to street/0' landscape tract 0' 0' to property line/3' to garage
Maximum Lot Coverage (%) One Story Two Story	65% 55%	100% 100%
Street Frontage Landscape: Arterial/Arterial Intersection	50' x 250'	50' x 220' along Recker Road 50' x 280' along Warner Road

Site Development Regulations	Required per LDC, Single Family – Detached	Proposed
Lot Width/Depth	None	55'/63'
Maximum Height (ft/stories)	36'/3	30'/2
Minimum Building Setbacks (ft) Front	10'	20' to front facing garage

Side Rear	0' or 5' 10'	8' to livable 5'/5' 15'/5' to covered patio
LDC Section 2.104 B. <b>Height</b> Dwelling units that back or side onto parcels designated on the General Plan as R>14–25 DU/Acre map, or nonresidential	Limited to single story	Limited to two story

Site Development Regulations	Required per LDC, Single Family – 6	Proposed
Lot Width/Depth	55'/100'	55'/115'
Minimum Building Setbacks (ft.) Front	20'	20' (10' living/porch/side entry garage)
Side Rear	5' & 10' 20'	5' & 10' 20'
LDC Section 2.104 B. <b>Height</b> Dwelling units that back or side onto parcels designated on the General Plan as R>14–25 DU/Acre map, or nonresidential	Limited to single story	Limited to two story

Site Development Regulations	Required per LDC, Single Family – 7	Proposed
Lot Width/Depth	65'/100'	60'/120'
Minimum Building Setbacks (ft.) Front	20'	20' (10' living/porch/side entry garage)
Side Rear	5' & 10' 20'	5' & 10' 20'

Site Development Regulations	Required per LDC, Light Industrial	Proposed
Minimum Required Perimeter Landscape Area (ft.) Rear	30'	20' adjacent to SF-A

When this plan was originally presented to the Planning Commission and Town Council, staff had several concerns related to the development's impact on employment opportunities within the Power Road Growth area. One of these concerns was the impact that the proposed residential would have on the required setbacks for the adjoining employment land uses to the east. As part of the revised submittal package, the applicant has provided exhibits illustrating potential layouts for the development to the east that show increased building setbacks can be achieved with little impact to the overall site. Landscape setbacks, however, would still be increased as a result of the adjacent residential land uses proposed.

In terms of the development plan and layout itself, the project proposes a primary entrance from Recker Road. An additional access point, primarily intended for the townhome units, is also located along Recker Road. Warner Road shows three additional access points, one for the townhome units, one primary access for the light industrial development and a collector along the eastern boundary of the property that would serve both the light industrial as well as the residential. Additional points of access could be added for the light industrial; however, those shown on the development plan are only conceptual in nature and would be evaluated as part of a Design Review application as that site develops.

Central to the proposed residential development is a large community park with off-street parking as well as a thorough trail network. The eastern portion of the site is laid out in a manner that minimizes potential impacts from future adjoining employment uses through the location of streets and landscape buffering.

The subject site is located within Phoenix Mesa Gateway Airport Overflight Area (AOA) III and a portion within Part 77. As such the site is subject to additional requirements of the Land Development Code Article 3.2 Phoenix-Mesa Gateway Airport Overlay District. These requirements include, but are not limited to:

Note (1) The following fair disclosure agreement and covenant, which would include the following disclosure, shall be recorded as a condition of development approval: "This property, due to its proximity to Phoenix-Mesa Gateway Airport, will experience aircraft overflights, which are expected to generate noise levels that may be of concern to some individuals. The mix of aviation activities and types of aircraft expected to be located and operate at the Airport now and in the future include: scheduled and unscheduled commercial charters, commercial air carriers and commercial air cargo operations, all of which are expected to use large commercial aircraft; general aviation activity using corporate and executive jets, helicopters, and propeller aircraft; aviation flight training schools using training aircraft; and military activity using high performance military jets. The size of aircraft and frequency of use of such aircraft may change over time depending on market and technology changes."

Note (2) All final subdivision plats and public reports filed with the Arizona Department of Real Estate shall include the notice described in Note 1.

Note (3) Sales and leasing offices established for new subdivisions and residential development projects shall provide notice to all prospective buyers and lessees stating that the project is located within an Aircraft Overflight Area. Such notice shall consist of a sign at least

4-foot by 4-foot installed at the entrance to the sales or leasing office at each project. The sign shall be installed prior to commencement of sales or leases and shall not be removed until the sales office is permanently closed or leasing office no longer leases units in the project. The sign should state the disclosure in Note 1 with letters of at least one (1) inch in height.

Note (5) The developer should incorporate features into the design and construction of buildings where people live, work, or are otherwise received to achieve an outdoor-to indoor noise level reduction of 25 decibels.

Note (7) Bird Attractants a. Coordination should be taken to address and mitigate as needed the potential for bird attractants as described in Section 3.203A.

## **PUBLIC NOTIFICATION AND INPUT**

A notice of public hearing was published in a newspaper of general circulation in the Town, an official notice was posted in all the required public places within the Town and neighborhood notice was provided per the requirements of the Land Development Code Article 5.205.

A neighborhood meeting was held on June 13, 2019 at 6:00PM at the Southeast Regional Library. Approximately three residents attended the meeting. Attendees were primarily interested in details of the proposed project; no concerns were raised.

Staff has received no comment from the public

## **60 DAY REVIEW PERIOD**

As part of the major General Plans processing requirement, a 60 day public review period is provided to allow all referral agencies, departments and interested persons to review and provided comments on Major General Plan Amendments. The Major General Plan application has been referred to the following agencies with comments (if any) noted:

- Arizona Department of Commerce; No comments received to date
- Arizona Department of Transportation; **ADOT is neutral on zoning and as such has no comment.**
- Arizona Department of Water Resources; No comments received to date
- APS; No comments received to date
- Arizona State Parks, Historic Preservation Office; **No registered historic properties and no archeology sites identified. The farmhouse complex could be considered historic if anyone wanted to consider that designation; if State or Federal funds are used in the new construction, history of the farm complex should be explored and a quick archaeology survey completed.**
- City of Chandler; No objection or concerns
- SRP; No comments received to date
- Town of Queen Creek; No comments received to date
- Gila River Indian Community; No comments received to date
- Gilbert Chamber of Commerce; No comments received to date

- Gilbert Public School District; No comments received to date
- Higley School District; No comments received to date
- Chandler School District; No comments received to date
- Maricopa County; No comments received to date
- Maricopa County Flood Control District: **Property is not located in any Special Flood Hazard Zones**
- Maricopa Association of Governments; No comments received to date
- Phoenix-Mesa Gateway Airport; **Located with Airport Overflight Area III Site will be subject to frequent aircraft overflights and will be affected by noise.**
- Pinal County; No comments received to date
- Union Pacific Railroad; No comments received to date.

### **SCHOOL DISTRICT**

Staff has solicited feedback from the Gilbert Public School District regarding the proposed General Plan amendment and rezone request to ensure that adequate educational facilities are maintained for the neighborhood. To date, no comments have been received.

### **PROPOSITION 207**

An agreement to “Waive Claims for Diminution in Value” pursuant to A.R.S. § 12-1134 was signed by the landowners of the subject site, in conformance with Section 5.201 of the Town of Gilbert Land Development Code. This waiver is located in the case file.

### **PLANNING COMMISSION STUDY SESSION**

At the Planning Commission Study Session on July 10, 2019 the following feedback was provided:

- There is a good balance in the deviations; though they are requesting deviations, they are also giving something in return
- Development and deviation requests seem well thought out.
- Layout seems to provide a good buffer to the light industrial.

### **RECOMMENDED MOTION**

- A. **No motion requested; the special meeting of the Planning Commission is to receive public input and comments for GP18-09, NEC Warner and Recker Roads Major General Plan amendment on 124.8 acres, located at the northeast corner of Warner and Recker Roads. The Major General Plan amendment is scheduled for the October 2, 2019 regular Planning Commission hearing for consideration a recommendation to Town Council**
- B. **No motion requested; the special meeting of the Planning Commission is to receive public input and comments for Z18-19, NEC Warner and Recker Roads rezoning on 124.8 acres, located at the northeast corner of Warner and Recker Roads. The rezoning application is scheduled for the October 2, 2019 regular Planning Commission hearing for consideration of a recommendation to Town Council**

Respectfully submitted,

Ashlee MacDonald, AICP  
Senior Planner

**Attachments and Enclosures:**

- 1) Notice of Public Hearing (4 maps)
- 2) Aerial Photo
- 3) Land Use Exhibit
- 4) Zoning Exhibit
- 5) Development Plan color and b/w (2 pages)
- 6) Minutes from the Planning Commission Study Session of July 10, 2019
- 7) Correspondence from Phoenix-Mesa Gateway Airport

# Notice of Public Hearing

GP18-09/Z18-19 NEC Warner and Recker Roads  
Attachment 1: Notice of Public Hearing (4 maps)  
September 17, 2019

**PLANNING COMMISSION DATE:**

**Tuesday, September 17, 2019\* TIME: 6:00 PM**

**LOCATION: Southeast Regional Library  
Shakespeare Assembly Road  
775 N. Greenfield Road  
Gilbert, Arizona 85234**

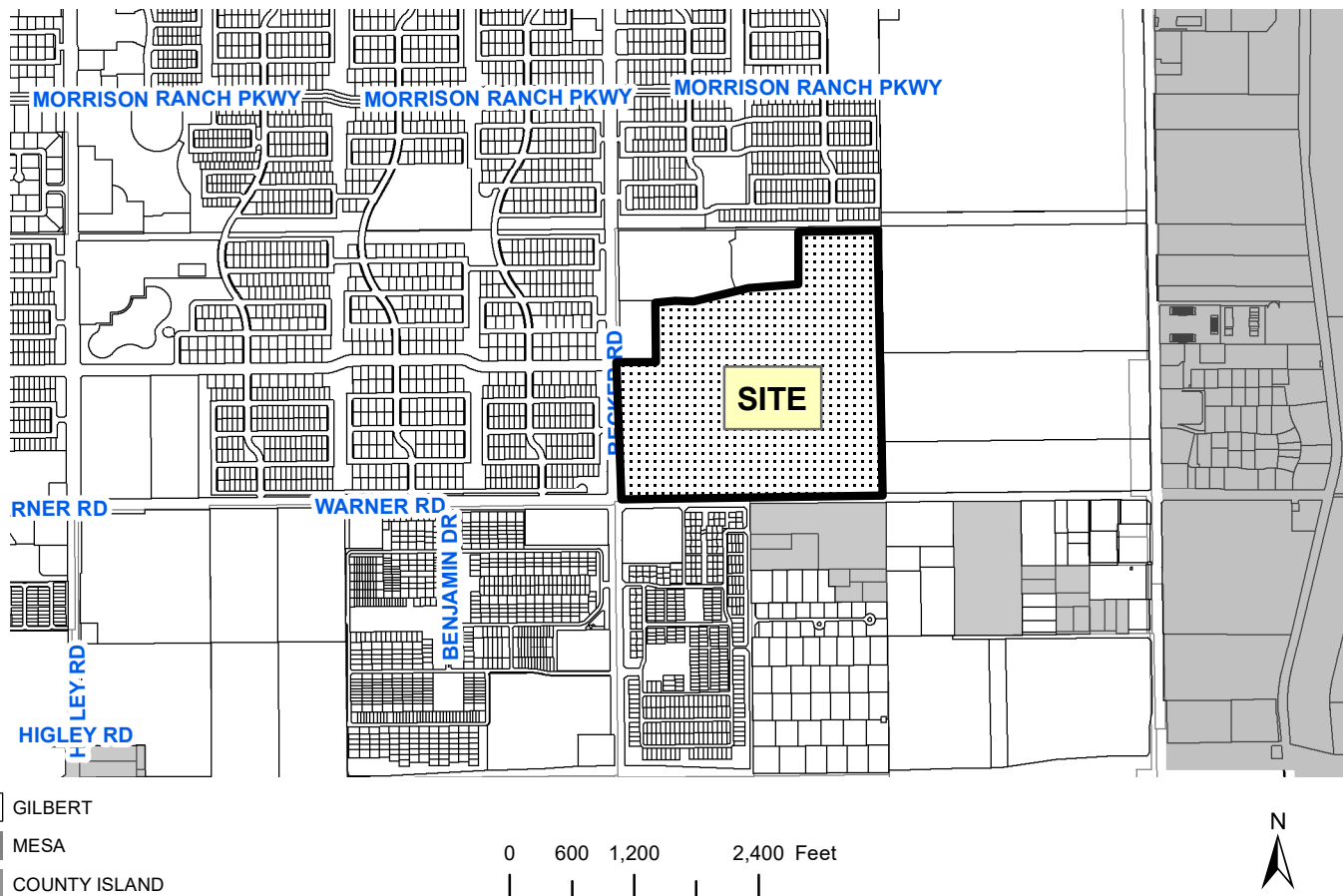
\* Call Planning Department to verify date and time: (480) 503-6729

\* The application is available for public review at the Town of Gilbert Development Services division Monday - Thursday 7 a.m. - 6 p.m. Staff reports are available prior to the meeting at <https://www.gilbertaz.gov/departments/development-services/planning-development/planning-commission>

## REQUESTED ACTION:

GP18-09: NEC Warner and Recker Roads - Request for Major General Plan amendment to change the land use classification of approx. 124.8 acres of real property generally located at the northeast corner of Recker and Warner Roads from 28.4 acres of Business Park (BP), 87.5 acres of Light Industrial (LI) and 8.9 acres of Community Commercial (CC) to 18.4 acres of Residential > 8-14 DU/Acre (R>8-14du/ac), 10.4 acres of Residential > 5-8 DU/Acre (R>5-8du/ac), 65.6 acres of Residential > 3.5-5 DU/Acre (R>3.5-5du/ac), and 30.4 acres of Light Industrial (LI) land use classifications.

## SITE LOCATION:



**APPLICANT** Withey Morris, PLC  
**CONTACT:** Adam Baugh  
**ADDRESS:** 2525 E Arizona Biltmore Cir, Ste. A212  
Phoenix, AZ 85016

**TELEPHONE:** (602) 230-0600  
**E-MAIL:** [adam@witheymorris.com](mailto:adam@witheymorris.com)



# ***Notice of Public Hearing***

**PLANNING COMMISSION DATE:**

**Tuesday, September 17, 2019\* TIME: 6:00 PM**

**LOCATION: Southeast Regional Library  
Shakespeare Assembly Road  
775 N. Greenfield Road  
Gilbert, Arizona 85234**

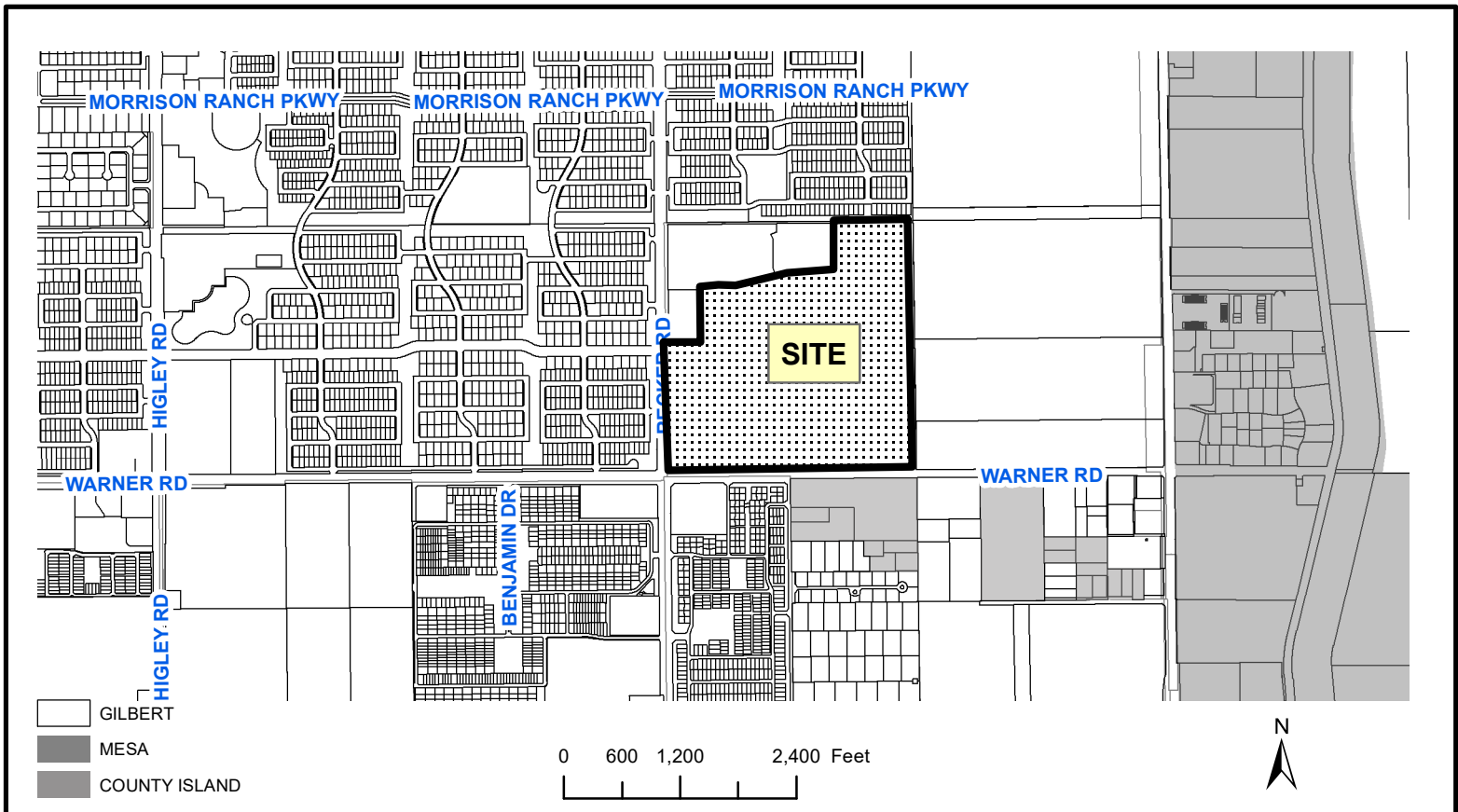
**\* Call Planning Department to verify date and time: (480) 503-6729**

\* The application is available for public review at the Town of Gilbert Development Services division Monday - Thursday 7 a.m. - 6 p.m. Staff reports are available prior to the meeting at <https://www.gilbertaz.gov/departments/development-services/planning-development/planning-commission>

## ***REQUESTED ACTION:***

Z18-19: NEC Warner and Recker Roads - Request to amend Ordinance Nos. 2261, 2378, and 2448 pertaining to the Rockefeller Group North Gateway Planned Area Development overlay zoning district (PAD) generally located at the northeast corner of Recker and Warner Roads by removing from the PAD approx. 124.8 acres of real property consisting of 87.5 acres of Light Industrial (LI), 28.4 acres of Business Park (BP), and 8.9 acres of Community Commercial (CC) zoning districts; creating the NEC Warner and Recker Roads PAD, approving a new development plan for the NEC Warner and Recker Roads PAD; and changing the zoning classification of said real property from 87.5 acres of LI, 28.4 acres of BP, and 8.9 acres of CC, all with a PAD to 30.4 acres of Light Industrial (LI), 18.4 acres of Single Family - Attached (SF-A), 30.0 acres of Single Family - Detached (SF-D), 19.5 acres of Single Family - 6 (SF-6) and 26.5 acres of Single Family - 7 (SF-7) zoning district, all with the new NEC Warner and Recker Roads PAD, as shown on the map available for viewing in the Planning Services Division; and to modify the development regulations as follows: reducing the minimum lot area in the SF-A zoning district, establishing minimum lot dimensions in the SF-A and SF-D zoning districts, increasing minimum lot depths in the SF-6 and SF-7 zoning districts, reducing minimum lot width in the SF-7 zoning district, reducing maximum heights in the SF-A, SF-D, SF-6 and SF-7 zoning districts, reducing front and rear setbacks in the SF-A and SF-D zoning districts, Increasing side setbacks in the SF-D zoning district, Reducing front setback in the SF-6 and SF-7 zoning districts, increasing lot coverage in the SF-A zoning district, reducing the rear setback in LI where adjacent to SF-A, allowing 2-story homes to back to land designated as R>14-25 du/ac and LI, and a reduction in the arterial intersection landscape setback along Recker Road. The effect of the rezoning will be to allow for a residential master planned community and Light Industrial.

## ***SITE LOCATION:***



**APPLICANT** *Withey Morris, PLC*  
**CONTACT:** *Adam Baugh*  
**ADDRESS:** *2525 E Arizona Biltmore Cir, Ste. A212*  
*Phoenix, AZ 85016*

**TELEPHONE:** *(602) 230-0600*  
**E-MAIL:** *adam@witheymorris.com*

# ***Notice of Public Hearing***

**PLANNING COMMISSION DATE:**

**Wednesday, October 2, 2019\* TIME: 6:00 PM**

**TOWN COUNCIL DATE:**

**Thursday, October 17, 2019\* TIME: 6:30 PM**

**LOCATION: Gilbert Municipal Center  
Council Chambers**

**50 E. Civic Center Drive**

**Gilbert, Arizona 85296**

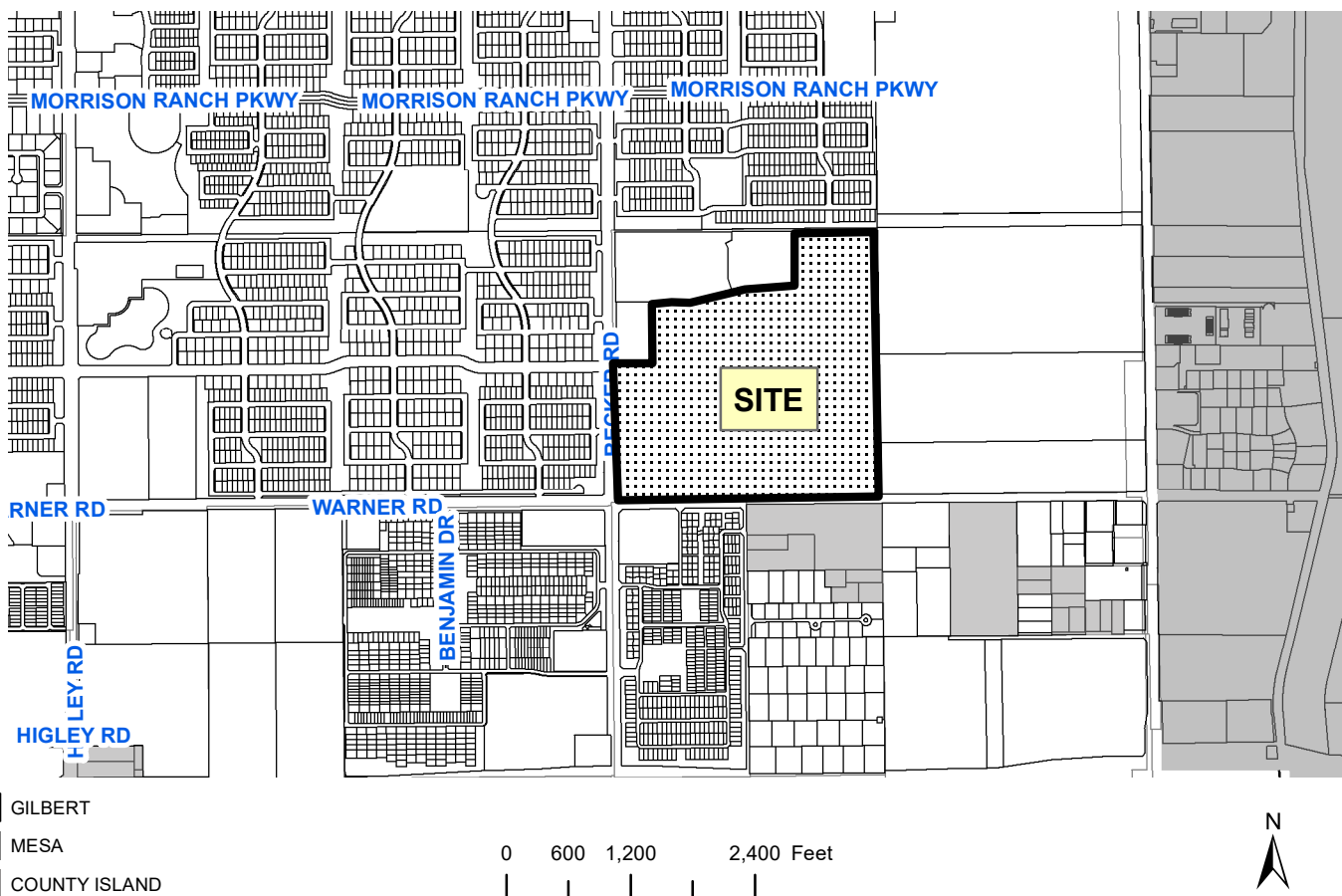
**\* Call Planning Department to verify date and time: (480) 503-6729**

\* The application is available for public review at the Town of Gilbert Development Services division Monday - Thursday 7 a.m. - 6 p.m. Staff reports are available prior to the meeting at <https://www.gilbertaz.gov/departments/development-services/planning/planning-commission> and <https://www.gilbertdocs.com/gilbertagendaonline>

## ***REQUESTED ACTION:***

GP18-09: NEC Warner and Recker Roads - Request for Major General Plan amendment to change the land use classification of approx. 124.8 acres of real property generally located at the northeast corner of Recker and Warner Roads from 28.4 acres of Business Park (BP), 87.5 acres of Light Industrial (LI) and 8.9 acres of Community Commercial (CC) to 18.2 acres of Residential > 8-14 DU/Acre (R>8-14du/ac), 10.4 acres of Residential > 5-8 DU/Acre (R>5-8du/ac), 65.6 acres of Residential > 3.5-5 DU/Acre (R>3.5-5du/ac), and 30.6 acres of Light Industrial (LI) land use classifications.

## ***SITE LOCATION:***



**APPLICANT** *Withey Morris, PLC*

**CONTACT:** *Adam Baugh*

**ADDRESS:** *2525 E Arizona Biltmore Cir, Ste. A212*

**Phoenix, AZ 85016**

**TELEPHONE:** *(602) 230-0600*

**E-MAIL:** *adam@witheymorris.com*

# Notice of Public Hearing

**PLANNING COMMISSION DATE:**

**Wednesday, October 2, 2019\* TIME: 6:00 PM**

**TOWN COUNCIL DATE:**

**Thursday, October 17, 2019\* TIME: 6:30 PM**

\* Call Planning Department to verify date and time: (480) 503-6729

**LOCATION: Gilbert Municipal Center  
Council Chambers**

**50 E. Civic Center Drive**

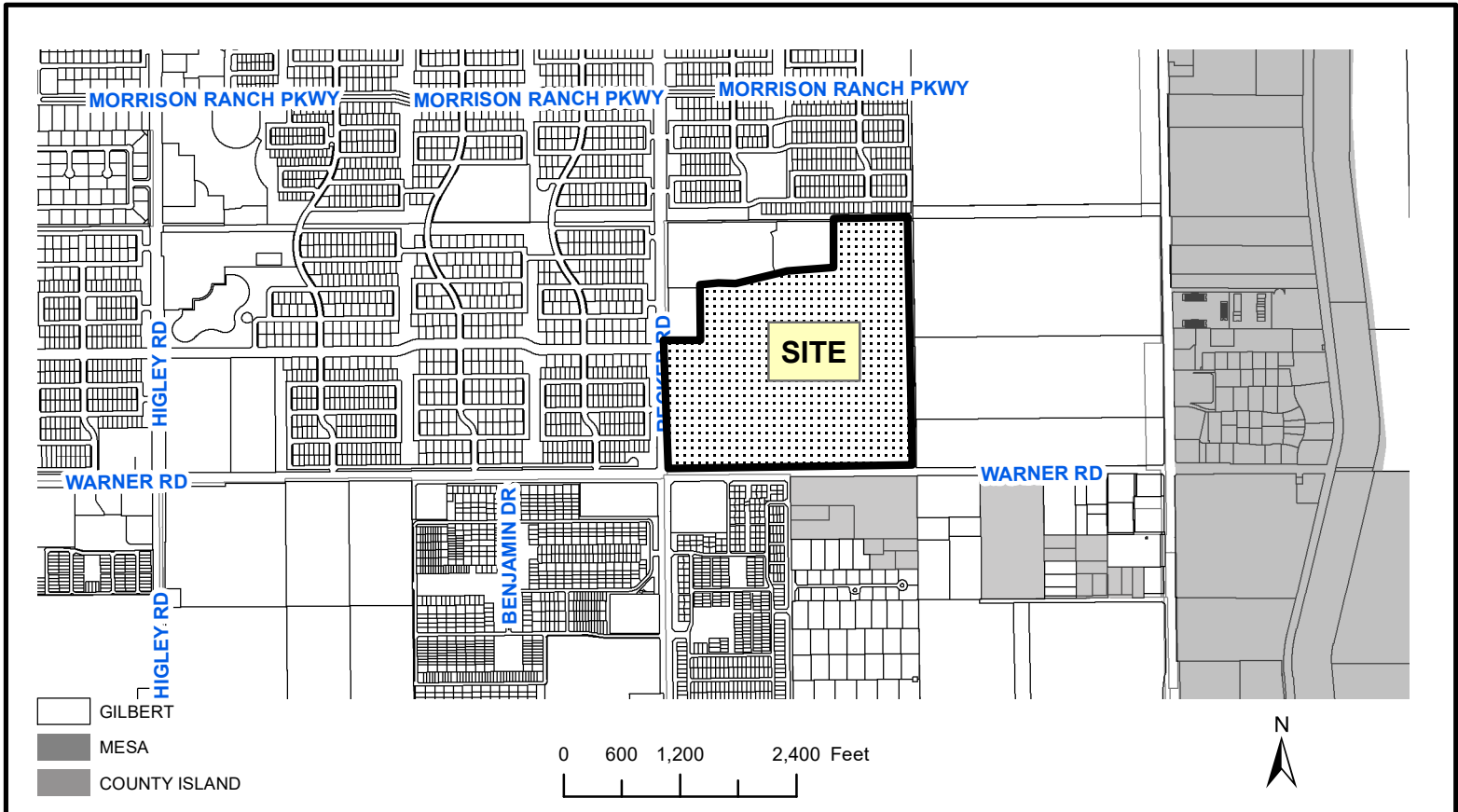
**Gilbert, Arizona 85296**

\* The application is available for public review at the Town of Gilbert Development Services division Monday - Thursday 7 a.m. - 6 p.m. Staff reports are available prior to the meeting at <https://www.gilbertaz.gov/departments/development-services/planning/planning-commission> and <https://www.gilbertdocs.com/gilbertagendaonline>

## REQUESTED ACTION:

Z18-19: NEC Warner and Recker Roads - Request to amend Ordinance Nos. 2261, 2378, and 2448 pertaining to the Rockefeller Group North Gateway Planned Area Development overlay zoning district (PAD) generally located at the northeast corner of Recker and Warner Roads by removing from the PAD approx. 124.8 acres of real property consisting of 87.5 acres of Light Industrial (LI), 28.4 acres of Business Park (BP), and 8.9 acres of Community Commercial (CC) zoning districts; creating the NEC Warner and Recker Roads PAD, approving a new development plan for the NEC Warner and Recker Roads PAD; and changing the zoning classification of said real property from 87.5 acres of LI, 28.4 acres of BP, and 8.9 acres of CC, all with a PAD to 30.6 acres of Light Industrial (LI), 18.2 acres of Single Family - Attached (SF-A), 30.0 acres of Single Family - Detached (SF-D), 19.5 acres of Single Family - 6 (SF-6) and 26.5 acres of Single Family - 7 (SF-7) zoning district, all with the new NEC Warner and Recker Roads PAD, as shown on the map available for viewing in the Planning Services Division; and to modify the development regulations as follows: reducing the minimum lot area in the SF-A zoning district, establishing minimum lot dimensions in the SF-A and SF-D zoning districts, increasing minimum lot depths in the SF-6 and SF-7 zoning districts, reducing minimum lot width in the SF-7 zoning district, reducing maximum heights in the SF-A, SF-D, SF-6 and SF-7 zoning districts, reducing front and rear setbacks in the SF-A and SF-D zoning districts, Increasing side setbacks in the SF-D zoning district, Reducing front setback in the SF-6 and SF-7 zoning districts, increasing lot coverage in the SF-A zoning district, reducing the rear setback in LI where adjacent to SF-A, allowing 2-story homes to back to land designated as R>14-25 du/ac and LI, and a reduction in the arterial intersection landscape setback along Recker Road. The effect of the rezoning will be to allow for a residential master planned community and Light Industrial.

## SITE LOCATION:



**APPLICANT** *Withey Morris, PLC*

**CONTACT:** *Adam Baugh*

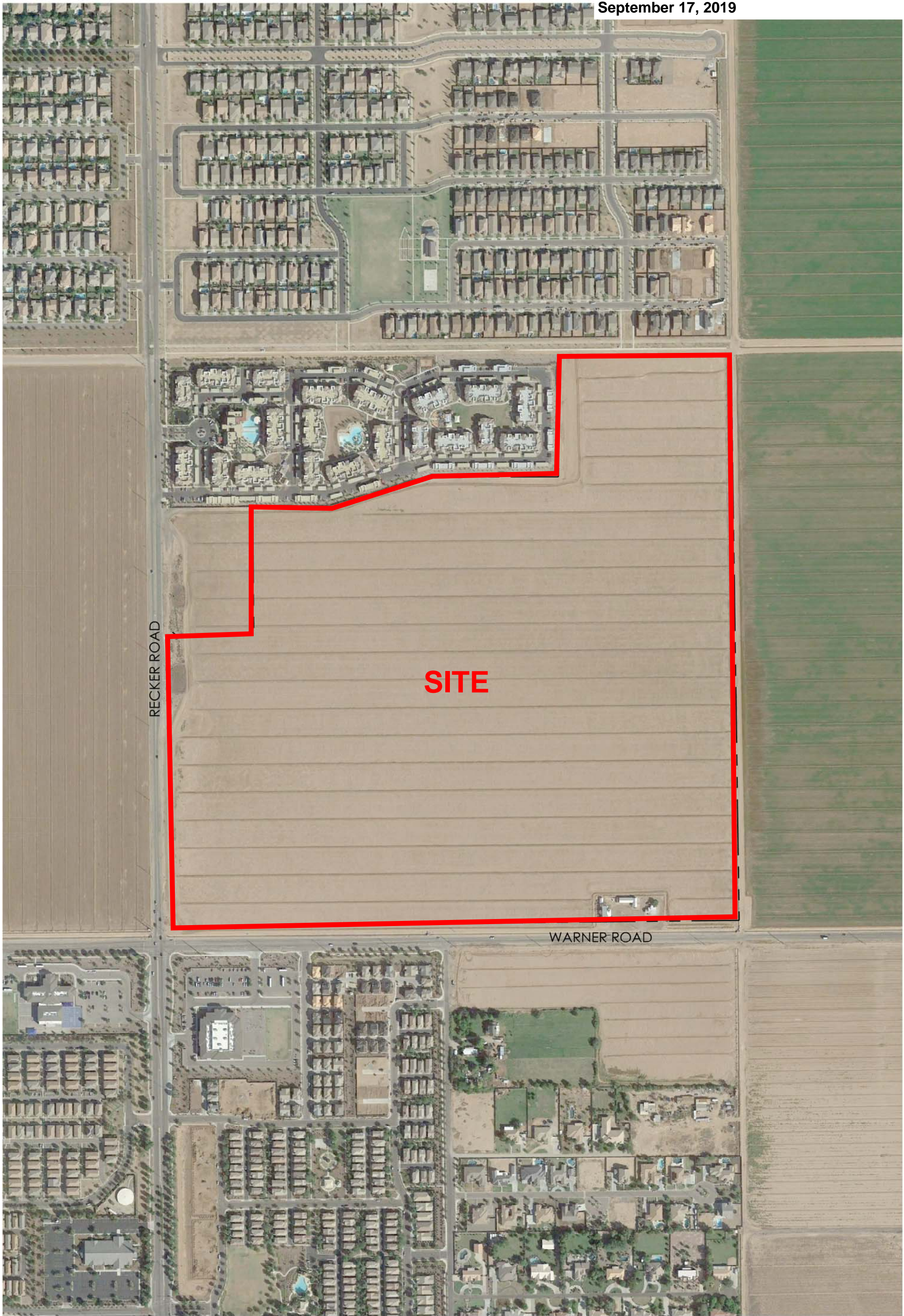
**ADDRESS:** *2525 E Arizona Biltmore Cir, Ste. A212*

**Phoenix, AZ 85016**

**TELEPHONE:** *(602) 230-0600*

**E-MAIL:** *adam@witheymorris.com*



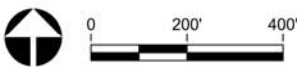


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WARNER & RECKER • AERIAL MAP

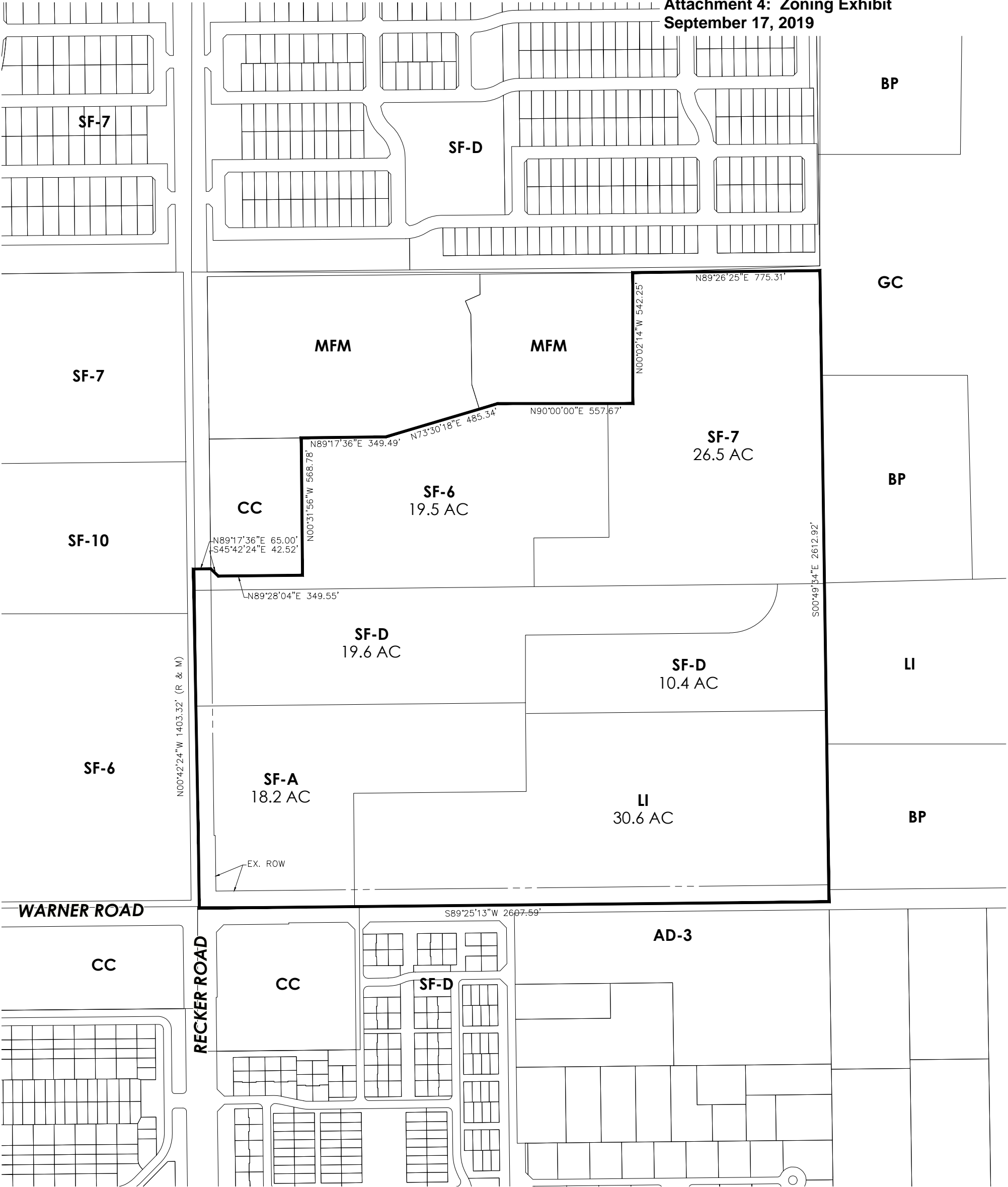
- 📍 Gilbert, Arizona
- 📅 2019-04-29
- # 0536
- 👤 Lennar



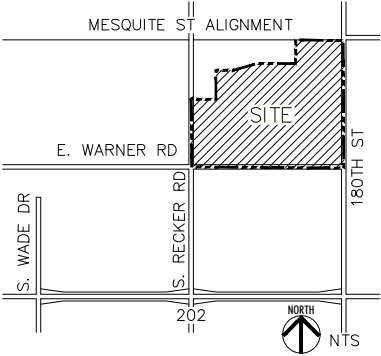




General Plan Data Summary								
GP Designation	Existing				Proposed			
	Gross		Net		Gross		Net	
LI	87.5 Ac.	70.1%	86.5 Ac.	72.9%	30.6 Ac.	24.5%	26.8 Ac.	22.8%
BP	28.4 Ac.	22.8%	25.1 Ac.	21.1%	0.0 Ac.	0.0%	0.0 Ac.	0.0%
CC	8.9 Ac.	7.1%	7.1 Ac.	6.0%	0.0 Ac.	0.0%	0.0 Ac.	0.0%
R>8-14	0.0 Ac.	0.0%	0.0 Ac.	0.0%	18.2 Ac.	14.6%	16.0 Ac.	13.6%
R>5-8	0.0 Ac.	0.0%	0.0 Ac.	0.0%	10.4 Ac.	8.3%	9.9 Ac.	8.4%
R>3.5-5	0.0 Ac.	0.0%	0.0 Ac.	0.0%	65.6 Ac.	52.6%	64.8 Ac.	55.2%
Totals	124.8 Ac.	100.0%	118.7 Ac.	100.0%	124.8 Ac.	100.0%	117.5 Ac.	100.0%



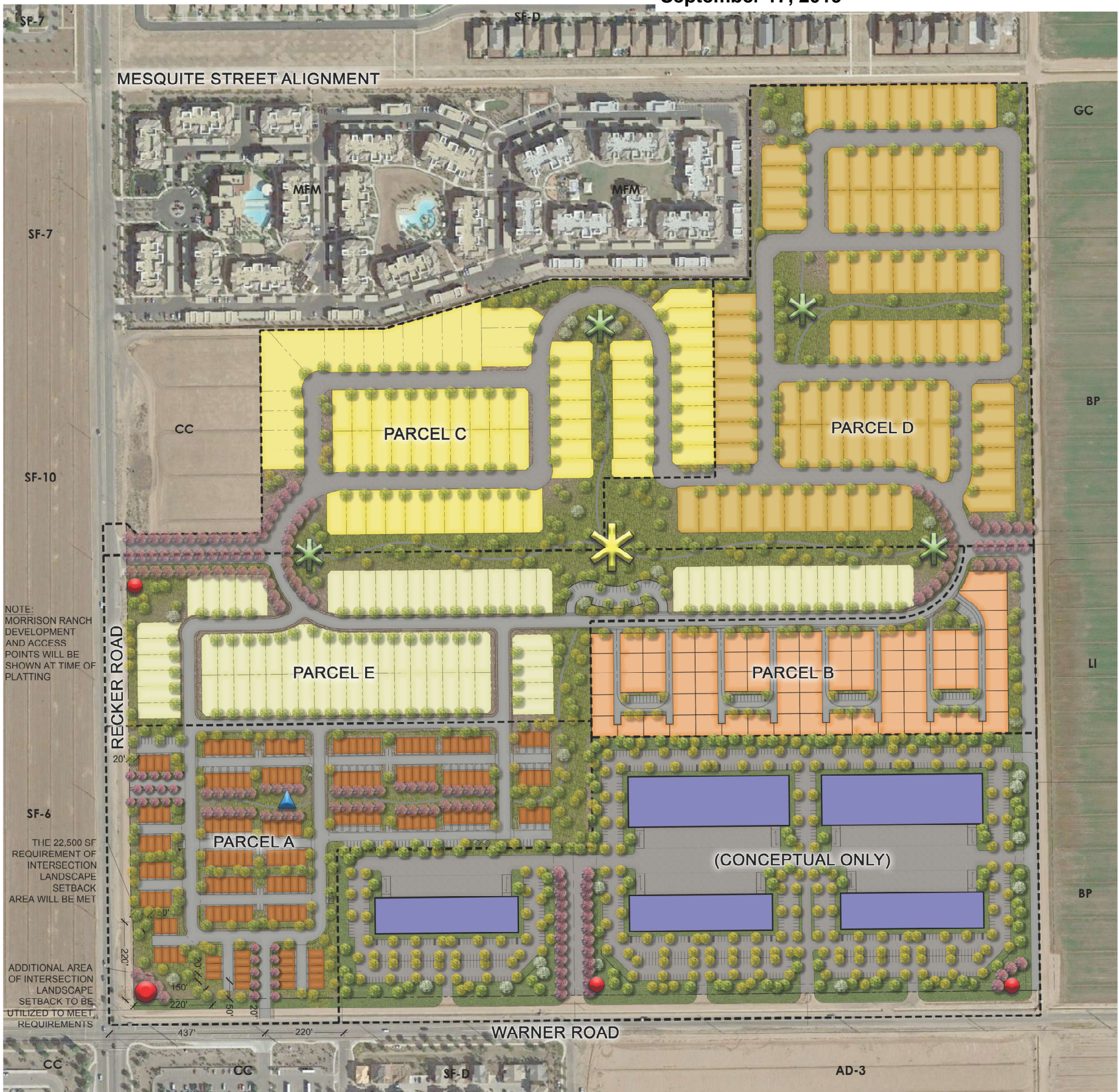
Vicinity Map



Zoning Plan Data Summary										
Zoning	Designation		Existing				Proposed			
	General Plan	Parcel	Gross		Net		Gross	Units	Density	Net
LI	LI	F	87.5 Ac.	70.1%	86.5 Ac.	72.9%	30.6 Ac.	24.5%		26.8 Ac.
BP	BP		28.4 Ac.	22.8%	25.1 Ac.	21.1%				
CC	CC		8.9 Ac.	7.1%	7.1 Ac.	6.0%				
SF-A	R>8-14	A					18.2 Ac.	14.6%	174	16.0 Ac.
SF-D	R>5-8	B					10.4 Ac.	8.3%	75	9.9 Ac.
SF-D	R>3.5-5	E					19.6 Ac.	15.7%	81	18.9 Ac.
SF-6	R>3.5-5	C					19.5 Ac.	15.6%	71	19.4 Ac.
SF-7	R>3.5-5	D					26.5 Ac.	21.3%	86	26.5 Ac.
Totals			124.8 Ac.	100.0%	118.7 Ac.	100.0%	124.8 Ac.	100.0%	487	117.5 Ac.

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Site Data Table

Parcel	Use	Proposed Zoning	Gross Area	Net Area	Units	Gross Density	Net Density		
A	Row Townhomes	SF-A	18.2 Ac.	14.6%	16.0 Ac.	174	35.7%	9.6 DU/Ac.	10.9 DU/Ac.
B	Motor Court	SF-D	10.4 Ac.	8.3%	9.9 Ac.	75	15.4%	7.2 DU/Ac.	7.6 DU/Ac.
C	55' x 115'	SF-6	19.5 Ac.	15.6%	19.4 Ac.	71	14.6%	3.6 DU/Ac.	3.7 DU/Ac.
D	60' x 120'	SF-7	26.5 Ac.	21.2%	26.5 Ac.	86	17.7%	3.2 DU/Ac.	3.2 DU/Ac.
E	45' x 115'	SF-D	19.6 Ac.	15.7%	18.9 Ac.	81	16.6%	4.1 DU/Ac.	4.3 DU/Ac.
Residential Totals			94.2 Ac.	75.4%	90.7 Ac.	487	100.0%	5.2 DU/Ac.	5.4 DU/Ac.
F	Light Industrial	LI	30.6 Ac.	24.6%	26.8 Ac.				
	ROW - Misc		0.0 Ac.		7.3 Ac.				
Total			124.8 Ac.	100.0%	124.8 Ac.				

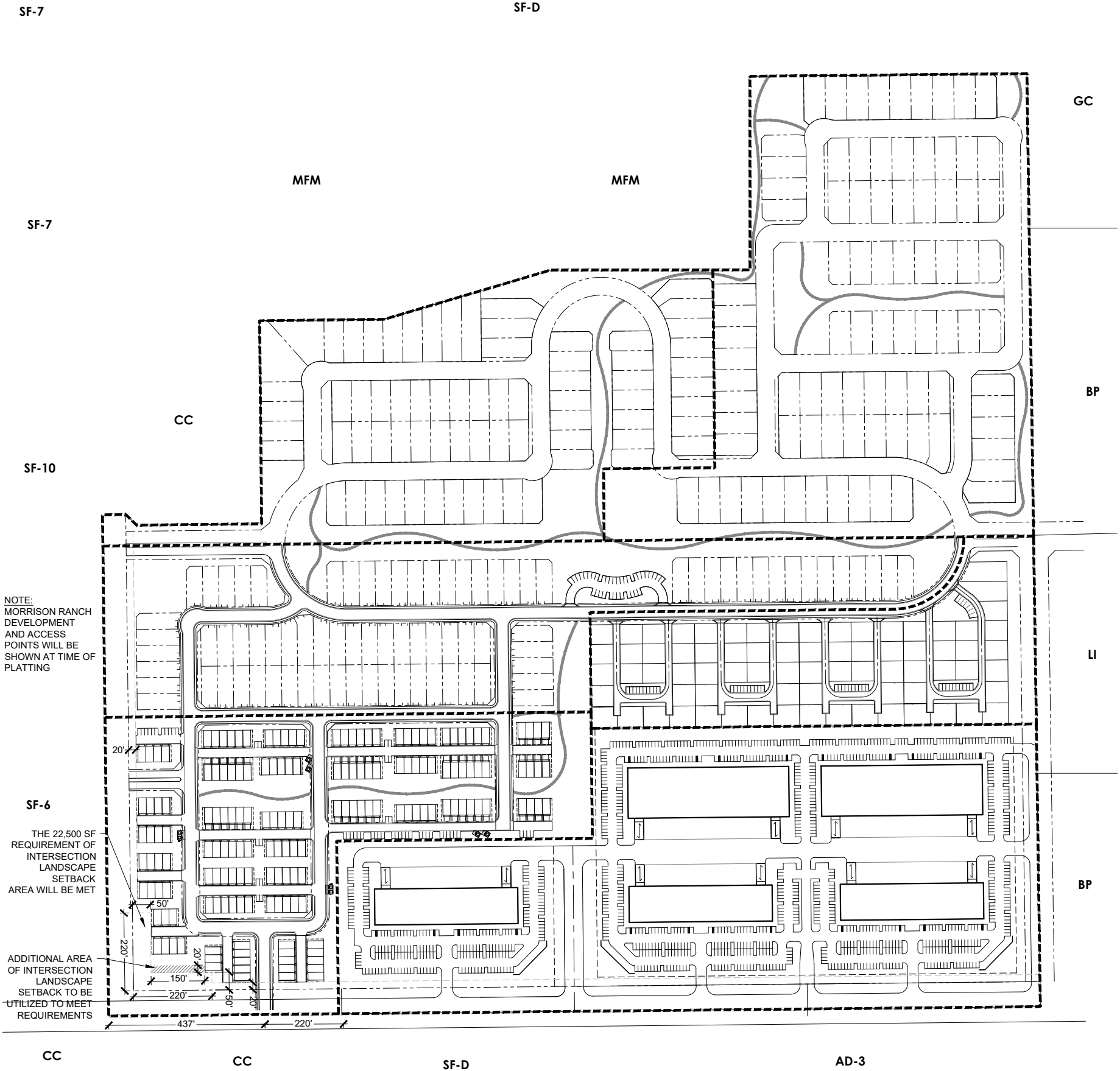
PAD Table

	SF-A	SF-A PAD	SF-D	SF-D PAD	SF6	SF-6 PAD	SF-7	SF-7 PAD	LI
Min. Lot Area	2,000	1,056	3,000	3,000	6,000	6,000	7,000	7,000	N/A
Min. Lot Dimensions Width Depth	None	22' 48'	None	55' 63'	55' 100'	55' 115'	65' 100'	60' 120'	N/A
Max. Height	36/3 stories	30/2 stories	36/3 stories	30/2 stories	30/2 stories	30/2 stories	30/2 stories	30/2 stories	Per LDC
Building Setbacks Front	10'	10' to street; 0' to landscape tract	10'	20' to front facing garage; 8' to living	20'	20' (10' living/porch/side facing garage)	20'	20' (10' living/porch/side facing garage)	Per LDC
Side	0'	0'	0' or 5'	5' / 5'	5' & 10'	5' & 10'	5' & 10'	5' & 10'	
Rear	10'	0' to Property line	10'	15' (5' to covered patio)	20'	20'	20'	20'	
Lot Coverage One story / Two story	65% / 55%	100%	60% / 50%	60% / 50%	45% / 40%	45% / 40%	45% / 40%	45% / 40%	Per LDC
Landscape Setback	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Per LDC (except that rear setback 20' next to SF-A)

Project Data Table

Parcel Numbers:	304-18-009A 304-18-010A 304-18-012B 304-18-011F
Project Area (Gross to CL)	124.8 AC. (5,436,288 SF)
Project Area (Net)	117.5 AC. (5,118,300 SF)
Number of Proposed Lots	487
Gross Density	5.2 DU/AC.
Open Space	+/- 23 AC. (1,022,353 SF) (20%)
General Plan Land Use Classification	LI; R > 3-5.5; R > 5-8; R > 8-14
Current Zone	LI; BP; CC
Proposed Zone	LI; SF-A; SF-D; SF-6; SF-7





Site Data Table

Parcel	Use	Proposed Zoning	Gross Area	Net Area	Units	Gross Density	Net Density		
A	Row Townhomes	SF-A	18.2 Ac.	14.6%	16.0 Ac.	174	35.7%	9.6 DU/Ac.	10.9 DU/Ac.
B	Motor Court	SF-D	10.4 Ac.	8.3%	9.9 Ac.	75	15.4%	7.2 DU/Ac.	7.6 DU/Ac.
C	55' x 115'	SF-6	19.5 Ac.	15.6%	19.4 Ac.	71	14.6%	3.6 DU/Ac.	3.7 DU/Ac.
D	60' x 120'	SF-7	26.5 Ac.	21.2%	26.5 Ac.	86	17.7%	3.2 DU/Ac.	3.2 DU/Ac.
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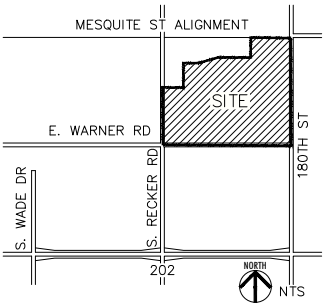
PAD Table

	SF-A	SF-A PAD	SF-D	SF-D PAD	SF6	SF-6 PAD	SF-7	SF-7 PAD	LI
Min. Lot Area	2,000	1,056	3,000	3,000	6,000	6,000	7,000	7,000	N/A
Min. Lot Dimensions Width Depth	None	22' 48'	None	55' 63'	55' 100'	55' 115'	65' 100'	60' 120'	N/A
Max. Height	36/3 stories	30/2 stories	36/3 stories	30/2 stories	30/2 stories	30/2 stories	30/2 stories	30/2 stories	Per LDC
Building Setbacks Front Side Rear	10' 0' 10'	10' to street; 0' to landscape tract 0' 0' 0' to Property line	10' 0' or 5' 10'	20' to front facing garage; 8' to living 15' (5' to covered patio)	20' 5' & 10' 20'	20' (10' living/porch/side facing garage) 5' & 10' 20'	20' 5' & 10' 20'	20' (10' living/porch/side facing garage) 5' & 10' 20'	Per LDC
Lot Coverage One story / Two story Landscape Setback	65% / 55% 100%	100%	60% / 50%	60% / 50%	45% / 40%	45% / 40%	45% / 40%	45% / 40%	Per LDC (except that rear setback 20' next to SF-A)

Project Data Table

Parcel Numbers:	304-18-009A 304-18-010A 304-18-012B 304-18-011F
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Current Zone	LI; BP; CC
Proposed Zone	LI; SF-A; SF-D; SF-6; SF-7

Vicinity Map





**TOWN OF GILBERT  
PLANNING COMMISSION STUDY SESSION  
COUNCIL CHAMBERS  
50 E. CIVIC CENTER DRIVE, GILBERT, AZ  
JULY 10, 2019**

**COMMISSION PRESENT:**

Carl Bloomfield, Vice Chair  
Brian Johns  
Les Smith  
Philip Alibrandi, Alternate  
James Torgeson, Alternate

**COMMISSION ABSENT:**

Brian Andersen, Chair  
Greg Froehlich  
David Cavenee

**STAFF PRESENT:**

Sydney Bethel, Planner II  
Stephanie Bubenheim, Planner II  
Ashlee MacDonald, Senior Planner  
Keith Newman, Planner II  
Josh Rogers, Planner II  
Nathan Williams, Senior Planner  
Amy Temes, Interim Principal Planner  
Eva Cutro, Planning Division Manager

**ALSO PRESENT:**

Nancy Davidson, Assistant Town Attorney  
Recorder Dana Desing

**CALL TO ORDER**

Vice Chair Bloomfield called the July 10, 2019 Study Session of the Planning Commission to order at 5:15 p.m. He informed the audience that there is not much reason to request to speak as there are only two items on the Regular Meeting agenda and those will be continued to a future meeting. If someone would like to address the Commission, they may fill out a form located at the back of the room.

- 1. DR19-79 RIVULON LAKE OFFICE BUILDINGS: Master site plan, site plan, landscaping, grading and drainage, elevations, floor plans, lighting, and colors and materials for approximately 16.5 acres, generally located at the southeast corner of Rivulon Blvd and Allen Road, and zoned Business Park (BP) with a Planned Area Development (PAD) overlay.**

Ashlee MacDonald, Senior Planner, presented DR19-79, the Rivulon Lake office buildings. The property is a 16.5 acre parcel located within the Rivulon development, east of Gilbert Road and south of Pecos Road, directly off Rivulon Boulevard and Allen Avenue. The property is zoned Business Park (BP) as are the surrounding properties. The Applicant is proposing two office buildings totaling 353,000 SF and two parking garages. The two building mirror each other. Staff had no major issues with the site plan. Access to the site will be from two private drives to be constructed as part of the project as well as an access point off of Allen Avenue. The project also proposes the development of the Rivulon Lake. Ms. MacDonald pointed out the location of the parking garages and the internal access points. The project provides in excess of the required parking between the surface parking and the two garages. The development is in keeping with what we expect from Nationwide and the Rivulon development, featuring pavers along the frontage, nice entry features, and the lake with pergolas. There is a loading area and service parking at the front of each building. The project appears to meet all of the fire requirements. Traffic had very minor comments. The project is currently in first review and staff may identify some additional comments moving forward, although there are not many concerns with the site layout.

The building elevations were reviewed. A painted metal canopy at the top is an architectural feature intended to serve as an eyebrow similar to what is seen on the Bank of America building that is visible from the 202. The height of the stacked stone piers is consistent with the height of the stone on other buildings within the Rivulon development. A screened wall is planned along the roadway to screen the ground floor parking area.

about the landscaping, we have this very unencumbered piece of property that has a very typical rectangular section, and we would normally not entertain deviations to this extent. The concern of the Commission is whether these deviations are all valid and well-reasoned, and whether there is justification. What is the benefit to the community? What makes this development special to allow and justify these deviations? He wondered why they were asking for the 5' and 5' side yard setbacks when they will have the separation distance of 15' between homes. They should just call it what it is, 7.5' and 7.5' setbacks. He did not want to do away with the landscaping along Chandler Heights Road. If they are going to the effort to create this special upscale gated community, wouldn't we want that kind of landscaping. They are nudging up against the minimum density required by the General Plan, although he would rather allow a deviation for a little less density if that is what they need to create a special quality development. When this item comes back, he would like to hear the justification for all the deviations. He appreciated the photos. It was helpful to see the kind of product and the type of community they are trying to create.

Mr. Newman appreciated the feedback and stated it is early in the process. Staff has issued a lot of review comments that the Applicant is still working to address. In the second review, he hoped to have some questions answered and have some clarity on some of the concerns. Staff will continue to work with the Applicant to make this a high-quality product that we can all be proud of.

*Vice Chair Bloomfield recessed the Study Session at 7:00 p.m. in order to take a short break and then hold the Regular Meeting of the Planning Commission.*

*Vice Chair Bloomfield reconvened the Study Session at 7:14 p.m.*

6. **GP18-09: NEC Warner and Recker Roads** - Request for Major General Plan amendment to change the land use classification of approx. 124.8 acres of real property generally located at the northeast corner of Recker and Warner Roads from 28.4 acres of Business Park (BP), 87.5 acres of Light Industrial (LI) and 8.9 acres of Community Commercial (CC) to 17.7 acres of Residential > 8-14 DU/Acre (R>8-14du/ac), 10.4 acres of Residential > 5-8 DU/Acre (R>5-8du/ac), 65.8 acres of Residential > 3.5-5 DU/Acre (R>3.5-5du/ac), and 30.9 acres of Light Industrial (LI) land use classifications.

**Z18-19 NEC WARNER AND RECKER ROADS:** Request to amend Ordinance Nos. 2261, 2378, and 2448 pertaining to the Rockefeller Group North Gateway Planned Area Development (PAD) overlay zoning district, generally located at the northeast corner of Recker and Warner Roads by removing from the PAD approx. 124.8 acres of real property consisting of 87.5 acres of Light Industrial (LI), 28.4 acres of Business Park (BP), and 8.9 acres of Community Commercial (CC) zoning districts; creating the NEC Warner and Recker Roads PAD, approving a new development plan for the NEC Warner and Recker Roads PAD; and changing the zoning classification of said real property from 87.5 acres of LI, 28.4 acres of BP, and 8.9 acres of CC, all with a PAD overlay to 30.9 acres of Light Industrial (LI), 17.6 acres of Single Family - Attached (SF-A), 30.4 acres of Single Family - Detached (SF-D), 19.3 acres of Single Family - 6 (SF-6) and 26.5 acres of Single Family - 7 (SF-7) zoning district, all with the new NEC Warner and Recker Roads PAD overlay.

Ashlee MacDonald, Senior Planner, presented GP18-09 and Z18-19 for the northeast corner of Warner and Recker Roads. The Planning Commission reviewed this item last year as part of the major General Plan Amendment process. The project went to Town Council and was ultimately sent back to Planning Commission for reconsideration with some direction to incorporate some employment land uses. At this time, the zoning is moving forward on both pieces of the site. The area is currently designated a number of employment uses with Light Industrial (LI) and Business Park (BP). The site is adjacent to employment land uses to the east and there is multi-family to the north, and residential to the west and south. The Applicant is requesting a major General

Plan Amendment to create a master planned residential community. The Town Council recommended incorporating some employment uses that are critical to the resiliency of Gilbert.

The Applicant is requesting roughly 30 acres of Light Industrial at the southeast corner of the site along Warner Road. The balance of the site is made up of residential land uses, including Residential >8-14 DU/Acre, Residential >5-8 DU/Acre, and Residential > 3.5-5 DU/Acre. The greatest density is located on the hard corner, the northeast corner of Warner and Recker Roads. The zoning requested is consistent with the General Plan request. They are proposing Single Family Attached (SF-A), Single Family Detached (SF-D), Single Family-6 (SF-6), Single Family-7 (SF-7) and Light Industrial (LI). The Applicant has met with staff and a lot of consideration went into the development of that Light Industrial site in terms of the depth, access, and the amount of street frontage. Staff is comfortable that the 30.9 acres is viable in terms of its potential to develop. Other iterations did not work for the site. The Applicant has put a considerable amount of time and study into this plan to make sure this product would develop.

The Light Industrial portion is conceptual only and would not be part of an approved development plan and we would not require the configuration to be as it is shown here. However, if the residential portion moves forward to preliminary plat, it would need to be in substantial conformance with what is shown on this application. The Development Plan proposes a total of 484 units, 171 of which are townhomes units located in Parcel A, 75 auto-court products in Parcel B, 71 in Parcel C (SF-6), 86 in Parcel D (SF-7) as well as 84 units of SF-D in Parcel D. The existing General Plan shows a collector road going through the site. Part of this proposal removes that collector road. Staff has provided comments in that regard to the Applicant. All of the roadways throughout have driveways that back out so there is no collector road network to move people out that won't be impeded by potential on-street parking, etc. Staff is working with the Applicant on that issue. Parcels A, B, and E require that a parking and refuse plan be submitted with the preliminary plat. Staff has asked for that parking and refuse plan early in the process because sometimes the development plan that gets approved does not necessarily work with the preliminary plat. The original submission was heavily parked along the street. The Applicant has provided this conceptual development plan that addresses a number of those concerns, although staff has not seen the revised parking plan to date. They have added some pull-in parking at the open space amenity and increased parking in other areas to help alleviate the on-street parking.

The Applicant is proposing a number of deviations. The SF-A zoning district requires a minimum lot size of 2,000 SF and the Applicant is proposing about half that at 1,100 SF with minimum lot widths and depths. The number of stories and overall height are being reduced. The SF-A zoning district permits 65% lot coverage on single stories and 55% on two-stories. The Applicant is looking for 100% lot coverage in order to create a townhome product where the owners do not have their own yards to maintain. Staff felt this seems more like a multi-family product and zoning district than Single Family-Attached. The base zoning district requires a 10' setback to the front and the Applicant is proposing a zero foot setback to a tract or 10' to the street, as well as a reducing the rear setback to 2' or 6' to base of garage. Staff has concerns with the 6' to garage as we typically see a 3' apron to discourage parking in that space. These deviation requests were just recently submitted to staff so they are different than what is in the staff report. Staff needs additional information regarding the tract width in order to be able to evaluate the front setback of zero to tract.

In the SF-D motor court product, deviations are being requested to reduce the maximum height and number of stories from 36' 3-story to 30' 2- story, reduce the front setback from 10' to 8' to living and 20' to face of garage, which is standard for front parking. They are requesting to increase side setbacks to 5' on both sides instead of zero or 5', increase the rear setback to 15' to livable and 5' to a covered patio. The current Code allows for a 10' rear setback and a 3' patio encroachment, for a setback of 7'. This request is not far off from the requirement. The Applicant has indicated that pads would be created for the refuse cans within the front yard. That will take up even more of the reduced yard. Staff is waiting for the parking and refuse plan as well as the full submittal.

Ms. MacDonald requested feedback on the Development Plan and the deviation requests.

## **DISCUSSION:**

Commissioner Johns appreciated the Light Industrial use which keeps some of the intent. He asked if Economic Development has reviewed this proposal.

Ms. MacDonald advised that there have been discussions with Economic Development as they prepared some revised options. Early in the discussions, the Applicant had presented different options for the configuration and Economic Development was involved in those conversations. She believed they were comfortable with this and understood that this is a piece that is likely to develop. It is somewhat modeled after a Park Lucero type of use. They foresee a warehouse type of use and office. She felt Planning and Economic Development see this as something that is viable. One of the concerns of staff with the previous submittal was the impact the change would have on adjacent property. The Applicant has provided some exhibits showing that they would still be able to fully develop a reasonable site with increased setbacks, and they will still meet the 75' setback.

Commissioner Johns felt the layout seemed very buffered from the light industrial or office. He liked that it was right on the road. It is also buffered as it goes back to the apartments and is very layered. He liked how everything was pulled together. Regarding the deviations, he felt they were actually giving a lot with some of the deviations for SF-D. Does staff have any concerns with the deviations?

Ms. MacDonald was tentative on the reduced front setback, particularly if space would be taken up by the concrete pads for refuse containers in the already limited front yard.

Commissioner Johns stated it seems like every case before the Commission is requesting deviations. He felt they have provided something in return here. They are working with a lot of puzzle pieces in this development. He appreciated that Ms. MacDonald pointed out the parking and he felt the parking was all grouped into one area instead of spread throughout. The units on the outer edges seem a long way from the parking.

Ms. MacDonald stated it is a requirement that guest parking has to be within a certain distance of the units served. She pointed out other locations where there is parking. She believed they will likely have some on-street parking in some locations. Staff has not received the revised parking plan. Staff will verify that the guest parking is within 250' of the units served.

Commissioner Smith asked if there will be a dedicated road on the east side for access to the residential in the back.

Ms. MacDonald stated as this develops the roadway will become a shared roadway with the adjacent development. The signal is further to the east. One of the modifications to this site plan was that they added an additional access point to alleviate some of the traffic and to allow another access point onto Warner Road. There has been a lot of discussion on how to move traffic throughout the site with some of the constraints. The road will not go all the way from the northern boundary south to Warner Road.

Commissioner Smith stated the residences to the north will be somewhat landlocked for the time being.

Ms. MacDonald did not anticipate that there would ever be a connection to the east, so those residents will have to travel down through the neighborhood to reach the access road.

Commissioner Alibrandi's only real concern was with the first deviation from 2,000 SF down to 1,100 SF. That is a 45% reduction. He guessed that it would be required in order to make the whole development work, although it is such a significant change that he would like to have a reason behind it. He asked if there was an alternative way to get around that deviation by rezoning that little section.

Ms. MacDonald stated that was part of the staff feedback to the Applicant in the first review in terms of whether they were really requesting Multi Family-Low. This Development Plan was resubmitted independent of a formal resubmittal for the benefit of the Planning Commission discussion. We will see what the second submittal brings. Many times Single Family-Attached is a little more palatable than Multi Family. There is an alternate to a different zoning category rather than such a deviation.

Councilmember Alibrandi was concerned that there is a perception out in the public that multi-family is a dirty word. It isn't. It is all part of the whole mix that we have here. The gross change of number was his concern, regardless of whether it is a small Single Family-Detached or Multi Family.

Commissioner Torgeson asked if a zoning change would make it more palatable. He had no problem with the density. This was all residential years ago and we ought to be counting our lucky stars to get anything. He had no problem with the pads. He asked what could be done so that the public perception is a little clearer if that is a concern. His only concern is that it has taken so long to get to this point.

Ms. MacDonald advised that staff did not express a concern with the product, but that it seems to fit better in a different zoning district than what they have requested. They are asking for 100% lot coverage when Single Family-Attached anticipates a development that is Single Family with private back yards. That is the feedback that staff has provided to the Applicant and it is up to them to decide how to move forward with this piece.

Vice Chair Bloomfield acknowledged that there has been a lot of effort on behalf of the Applicant to give answers to all of the questions for the zoning and General Plan Amendment. There is a tremendous amount of detail and effort that has gone into these presentations. It initially seemed like a lot for just a General Plan Amendment and zoning, although there have been a lot of different questions that require this level of scrutiny. He really liked the old plan better. Obviously, the Town Council did not because it didn't have light industrial. He appreciated the path and directing everyone to the corner and through the corner because of the schools there. It can't be that way now because of the density needed with the light industrial that is required. He felt the Applicant has been gracious and has done a good job of trying to accommodate the town's request. He thanked staff for their efforts on this item.

**7. ST19-02 STRATFORD (4500 Series): Four (4) new Standard Plans (4501, 4502, 4503 and 4504) by Blandford Homes, for 79 Lots on approximately 63.5 acres within the Stratford PAD, generally located at the southwest corner of Greenfield Road and Germann Road and zoned Single Family Detached (SF-D) with a Planned Area Development (PAD) overlay.**

**ST19-03 STRATFORD (3500 Series): Four (4) new Standard Plans (3501, 3502, 3503 and 3504) by Blandford Homes, for 143 Lots on approximately 63.5 acres within the Stratford PAD, generally located at the southwest corner of Greenfield Road and Germann Road and zoned Single Family Detached (SF-D) with a Planned Area Development (PAD) overlay.**

Nathan Williams, Senior Planner, presented ST19-02 and ST19-03, the Stratford. The Stratford PAD came before the Commission in a Study Session last month for a rezoning of the southwest corner of Greenfield and Germann Roads. Blandford Homes is the same developer for this project and the Belrose. This request is for Single Family-Detached (SF-D) with a PAD on 63.5 acres with 222 lots of varying size. The project meets the minimum density of > 3.5-5 DU/Acre. The zoning case and plat will be coming forward soon. There are two different lot types: 143 lots are 50' by 120' and 79 lots are 60' by 129', essentially 6,000 and 7,000 SF lots. The standard plans for these lots may potentially be transferred to Belrose. The footprint of the plans range from just over 1,700 SF up to 3,000 SF and the livable square footage ranges from 2,500 to 4,000. There are two applications for the 3500 Series and the 4500 Series with four new plans in each.

Staff has minimal comments regarding the architecture and design. These are high-quality products with a tremendous amount of diversity. Mr. Williams did not include every graphic in the packet as there would have been about 800 pages. He tried to break that down for the Study Session presentation. Each series has 4 standard plans and 8 different architectural themes or styles. Those include Spanish Colonial, Modern Farmhouse, Andalusian, Prairie, Craftsman, Italian Cottage, etc. There are 22 color schemes that will be distributed among the 8 different themes. Staff is working with the Applicant on how to organize that much content and information into a format that can be easily digested. A significant amount of diversity is provided through different types of garage doors, lighting fixtures, decorative pavers, unique windows, and other



May 15, 2019

Ashlee MacDonald, AICP  
Town of Gilbert  
Planning Services Division  
90 East Civic Center Drive  
Gilbert, AZ 85296

**Re:** *GP18-09/Z18-19*  
**Description:** *Major General Plan Amendment*  
**Location:** *NEC of Warner & Recker Roads*

Dear Ashlee:

Thank you for this opportunity to review this request. It is our understanding that this project is requesting a Major General Plan Amendment and rezoning from Business Park (BP), Light Industrial (LI) and Community Commercial (CC) to residential classifications R>8-14, R>8-14, R>3.5-5 (Residential), and CC on 125± acres on the northeast corner of Recker and Warner Roads.

This site is within the Airport Overflight Area (AOA) III, the published FAA Traffic Pattern Airspace, and a portion within the Part 77 area as identified in Phoenix-Mesa Gateway Airport Authority's (PMGAA) 2017 Airport Land Use Compatibility Plan Update. This proposal is also in alignment with Runway 12R/30L. **Any development at this location, due to its proximity to Phoenix-Mesa Gateway Airport (the Airport) will be subject to frequent aircraft overflights and will be affected by noise. Occupants will hear and see aircraft landing and taking off from the Airport and will experience aircraft overflights that generate noise levels considered by many to be "annoying".**

The Airport supports the current General Plan classifications on the subject parcel(s) as they are compatible with airport operations. However, the Airport would recommend the following conditions below as a part of any motion for approval of the Amendment:

- 1- Any proposed permanent, or temporary, structure is subject to an FAA filing for review in conformance with CFR Title 14 Part 77 (Form 7460) to determine any effect to navigable airspace and air navigation facilities.

For any new residential development within AOA III the Airport recommends the following conditions as a part of any motion for approval:

- 2- A fair disclosure agreement and covenant, which would include the following disclosure, should be recorded as a condition of development approval: "This property, due to its proximity to Phoenix-Mesa Gateway Airport, will experience aircraft overflights, which are expected to generate noise levels that may be of concern to some individuals. The mix of aviation activities and types of aircraft expected to be located and operate at the Airport now and in the future include: scheduled and unscheduled commercial charters, commercial air carriers and commercial air cargo operations, all of which are expected to use large commercial aircraft; general aviation activity using corporate and executive jets, helicopters, and propeller aircraft; aviation flight training schools using training aircraft; and military activity using high performance military jets. The size of aircraft and frequency of use of such aircraft may change over time depending on market and technology changes."



- 3- All final subdivision plats and public reports filed with the Arizona Department of Real Estate should include the notice described in Condition 2 above.
- 4- Sales and leasing offices established for new subdivisions and residential development projects should provide notice to all prospective buyers and lessees stating that the project is located within an Aircraft Overflight Area. Such notice should consist of a sign at least 4-foot by 4-foot installed at the entrance to the sales office or leasing office at each project. The sign should be installed prior to commencement of sales or leases and should not be removed until the sales office is permanently closed or leasing office no longer leases units in the project. The sign should state the disclosure in Condition 1 with letters of at least one (1) inch in height.

Thank you for the opportunity to comment on this proposal. If you have any questions, please contact me at (480) 988-7649.

Sincerely,

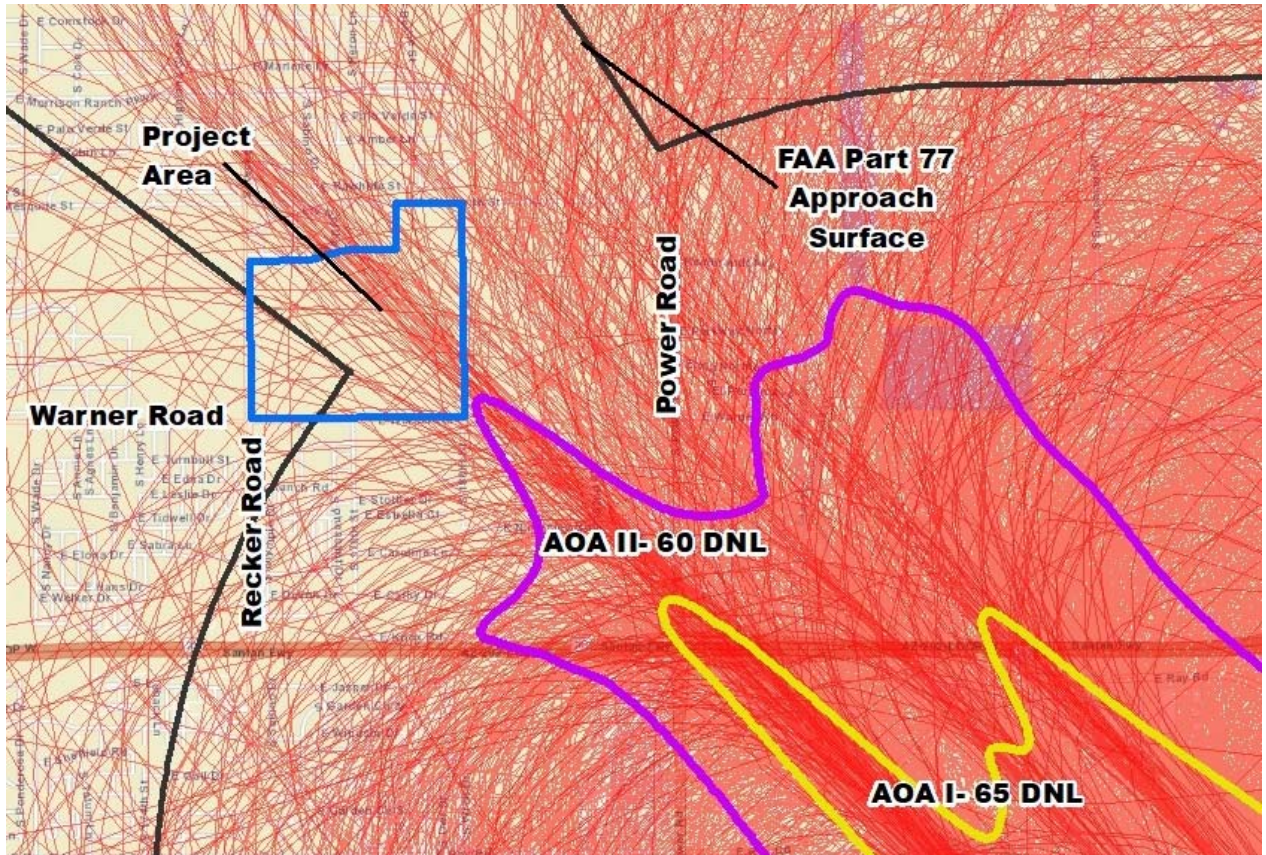
Anthony Bianchi, A.A.E.  
Planning Manager

Attachment

- 1- Radar Flight Track Map
- 2- Recorded Avigation Notice & Public Airport Disclosure Map

Cc: Bob Draper, Engineering & Facilities Director, PMGAA





Radar Flight Track Map (1 Week Timeframe)



OFFICIAL RECORDS OF  
MARICOPA COUNTY RECORDER

ADRIAN FONTES

20170301390 04/27/2017 10:12

KIOSK RECORDING

0361408-4-1-1

yorkj

AVIGATION NOTICE

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DO NOT REMOVE

This is part of the official document

*When Recorded Return To:*

Phoenix-Mesa Gateway Airport Authority  
5835 South Sossaman Road  
Mesa, Arizona 85212-6014  
Attn: Engineering & Facilities

*For Recorder's Use*

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**Avigation Notice**  
**Phoenix-Mesa Gateway Airport Overflight Area**

All of the real property (the "Property") described in "Exhibit A" attached to this Notice, lies within the boundaries of the Phoenix-Mesa Gateway Airport (or the "Airport") Overflight Area. This Notice and exhibit satisfies the requirements of Arizona Revised Statutes (A.R.S.) Sections 28-2485 and 28-2486, and is intended to provide public disclosure regarding the characteristics of the flight operations in the vicinity of the Airport and to provide notice to property owners regarding those activities. Therefore, the Airport hereby discloses and provides notice of the following:

**A. Background:**

Williams Air Force Base was established in 1941 and became Williams Gateway Airport after the base closure in 1994, and presently serves as a reliever airport for Phoenix Sky Harbor International Airport. The Airport was later renamed Phoenix-Mesa Gateway Airport shortly after commercial airline service began, in order to provide a clearer geographic reference for the Airport. The Airport currently has three (3) parallel runways, each around two miles in length that can accommodate nearly any size of aircraft, and approximately 1,000 vacant acres available for additional growth and development.

**B. Operational Characteristics:**

Phoenix-Mesa Gateway Airport is currently one of the busiest airports in the United States in terms of takeoffs and landings ("Operations") with approximately 250,000-300,000 annual Operations. The 2017 Phoenix-Mesa Gateway Airport Land Use Compatibility Plan Update determined an annual service volume, or reasonable capacity of Operations, of 498,000 Operations. The Airport is open twenty-four hours a day, so Operations may occur at any hour of the day or night.

Property within the boundaries of these overflight areas, due to its proximity to Phoenix-Mesa Gateway Airport, will experience aircraft overflights, which are expected to generate noise levels and frequency that may be of concern to some individuals. The mix of aviation activities and types of aircraft expected to be located and operate at the Airport now and in the future include: Scheduled and unscheduled commercial charters, commercial air

carriers and commercial air cargo operations, all of which are expected to use large commercial aircraft; general aviation activity using corporate and executive jets, helicopters, and propeller aircraft; aviation flight training schools using training aircraft; and military activity using high performance military jets. The size of aircraft and frequency of use of such aircraft may change over time depending on market and technology changes.

**C. Phoenix-Mesa Gateway Airport Master Plan:**

Phoenix-Mesa Gateway Airport has an Airport master plan that is updated periodically. The master plan provides information on future plans for the Airport. Over the long-term, aircraft operations and the utilization of the Airport is expected to increase. The current Airport master plan is available for review at the Airport's administrative office, located at 5835 South Sossaman Road in Mesa, or on the Airport's website (gatewayairport.com).

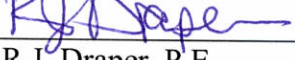
**D. Public Right of Transit:**

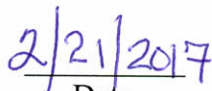
The property included in Exhibit A is subject to regulations under title 49 of United States Code, revised sections 40102 and 40103 (as amended), and 14 Code of Federal Regulations (CFR) Section 91.119, including airspace needed to ensure safety in the takeoff and landing of aircraft and the public right of transit through navigable airspace.

**E. Public Airport Disclosure:**

Exhibit A, the current disclosure notice and map to prospective purchasers, follows the State of Arizona guidelines regarding properties underlying the typical flight patterns for Phoenix-Mesa Gateway Airport. The Public Airport Disclosure Map is prepared in accordance to A.R.S. Sections 28-8485 and 28-8486, and generally depicts areas of aircraft overflights or aircraft operations. Public Airport Disclosure Maps are available from the Arizona Department of Real Estate's main office and website, currently at – 2910 North 44<sup>th</sup> Street, Suite 100, Phoenix, AZ 85018, and <http://www.re.state.az.us/airportmaps/publicairports.aspx>.

The Airport shall duly record this Notice in the Office of the County Recorder of Maricopa County.

By:   
R.J. Draper, P.E.  
Engineering & Facilities Director  
Phoenix-Mesa Gateway Airport Authority

  
Date





Day-Night Level (DNL)  
Noise Contour / Airport  
Overflight Area Boundary

## NOTES

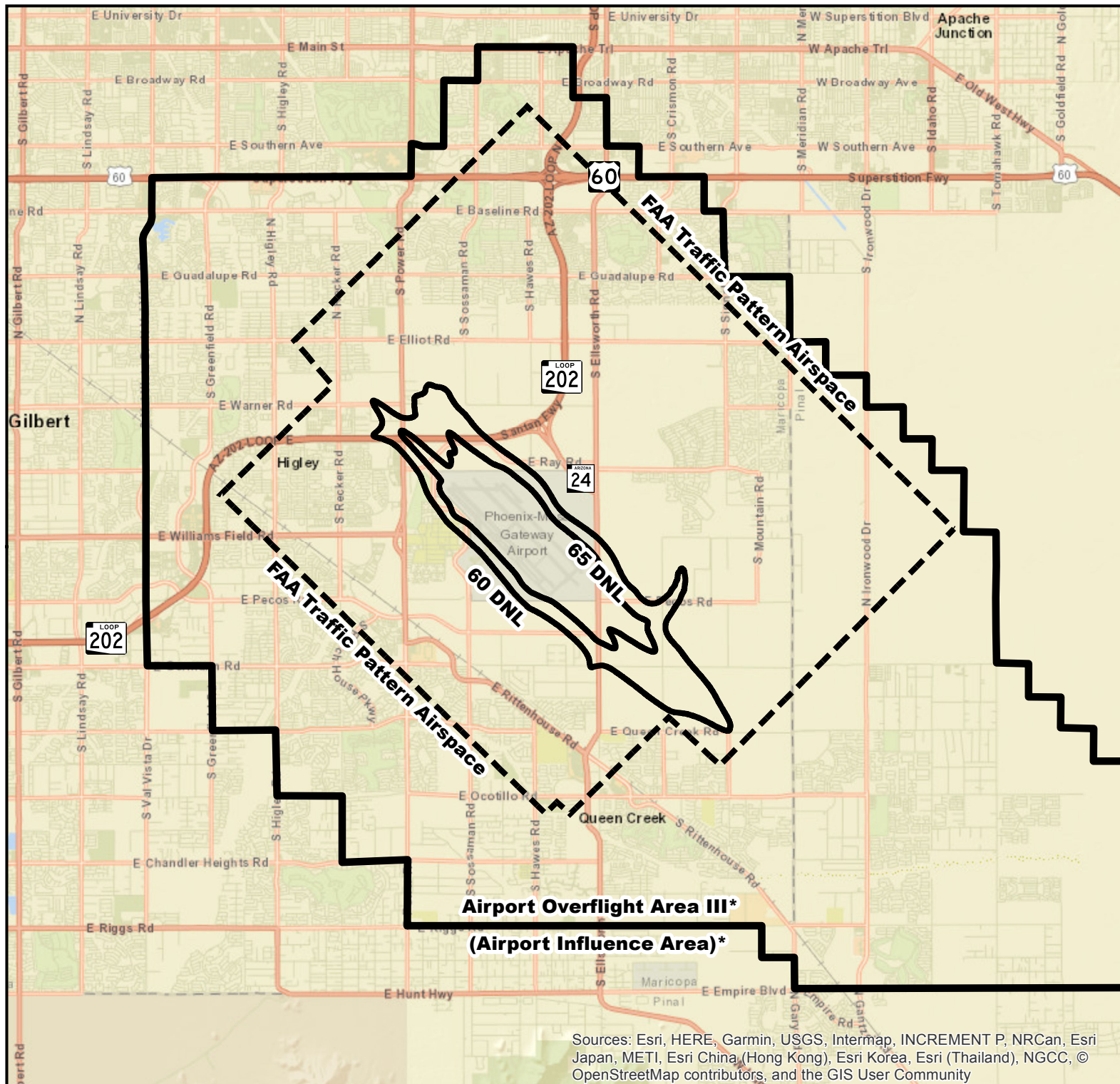
1. This exhibit has been prepared in accordance with Arizona Revised Statutes, Sections 28-8485 & 28-8486
2. FAA Traffic Pattern Airspace boundaries established in accordance with guidelines provided in FAA Order 7400.2D
3. Airport noise contours were developed using the Aviation Environmental Design Tool (AEDT, Version 2c), based on total annual operations (take-off and landings) of 498,000

\* Applicable to new development



0 1 2 3 Miles

AIRPORT BOARD EFFECTIVE DATE:  
February, 21, 2017



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community